

COURT OF APPEALS
DIVISION TWO

Appellate Procedure

¶1 Seventeen-year-old Ignacio F. appeals from a disposition order entered on October 31, 2007, committing him to the Arizona Department of Juvenile Corrections (ADJC) for an indeterminate period not to exceed his eighteenth birthday in August 2008. Ignacio’s counsel has filed a brief citing *Anders v. California*, 386 U.S. 738 (1967), which applies to juveniles. *See In re Maricopa County Juv. Action No. JV-117258*, 163 Ariz. 484, 788 P.2d 1235 (App. 1989). Stating that she “has thoroughly reviewed the Reporter’s Transcripts” without finding any arguable issues for appeal, counsel asks us to search the record for fundamental error.

¶2 According to the available record, Ignacio’s first delinquency adjudication occurred in April 2003, when he was twelve years old. At his latest disposition hearing in October 2007, the prosecutor summarized his juvenile history thus: “Ignacio has been on probation since 2003 and has been accumulating delinquencies and violations of probation[,] and he has been on J[uvvenile] I[ntensive] P[robation] S[ervices] starting in 2005, accumulating delinquencies and violations of probation along the way.”

¶3 The October 2007 disposition hearing giving rise to this appeal encompassed charges asserted in three separate delinquency petitions, filed on July 25, July 27, and October 3, 2007. Represented by counsel continuously throughout that period, Ignacio ultimately admitted one count in each petition. Based on his admissions, the court adjudicated him delinquent on charges of possessing or consuming alcohol as a minor, domestic-violence criminal damage, and unlawful possession of drug paraphernalia, all misdemeanors. At the state’s request, the court dismissed five other charges pending against Ignacio—the remaining three counts in the July 27 and October 3 petitions as well as both counts of an earlier petition filed on May 29.

¶4 As the transcript of the October 30 disposition hearing reveals, the juvenile court was familiar with Ignacio’s history, and its decision was fully informed and carefully considered. In a portion of its comments to Ignacio, the court stated:

On the other hand, when I look at the record, I see 15 referrals here and a number of delinquency adjudications.

. . . .

There have been a number of chances you have had—diversion[,] standard[] probation and JIPS and Vision Quest and been provided a number of services and

unfortunately it doesn't seem that you have done well when you are out on your own.

I note that disposition was set in October and a warrant issued because you didn't show.

The probation officer has recommended that you go to the Arizona Department of Juvenile Corrections for ten months. I think that's the appropriate place[ment] quite honestly for you to have. It's a last chance circumstance.

¶5 The record reflects the court had considered the supreme court's guidelines for the commitment of juveniles, the available alternatives to commitment, and Ignacio's individual circumstances before reaching its disposition decision. It thus did not abuse its discretion. *See generally In re Themika M.*, 206 Ariz. 553, ¶ 5, 81 P.3d 344, 345 (App. 2003) (within statutory parameters, juvenile court has "broad discretion in determining the proper disposition of a delinquent juvenile"); *In re Niky R.*, 203 Ariz. 387, ¶¶ 10, 22-23, 55 P.3d 81, 84 (App. 2002) (discussing effect of 2001 supreme court commitment guidelines on exercise of juvenile court's discretion at disposition).

¶6 We have reviewed the record in its entirety pursuant to counsel's request and our obligation under *Anders*, and we have found no error. The juvenile court's orders of adjudication and disposition are, therefore, affirmed.

PHILIP G. ESPINOSA, Judge

CONCURRING:

PETER J. ECKERSTROM, Presiding Judge

GARYE L. VÁSQUEZ, Judge